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RESOLUTIONS, ACTS AND MEMORIALS

PASSED AT THE

FIFTH ANNUAL SESSION

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH:

CONVENED AT FILLMORE CITY, DEC. 11, 1855.

GREAT SALT LAKE CITY:
1855.

PUBLISHED BY AUTHORITY:
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ACTS, RESOLUTIONS AND MEMORIALS,

PASSED BY THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

RESOLUTION

Concerning the further completion of the Penitentiary.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

That from the report of the Warden of the Penitentiary of the Territory of Utah, and from other information, we are satisfied that the thirty-two thousand dollars appropriated by Congress for the erection of said Penitentiary, has been faithfully and judiciously expended by the superintendent of the same; and that we believe it necessary for the preservation of said Penitentiary that its walls be coped with stone, and as Congress has thus far erected the walls and other buildings connected with said work; Therefore,

Be it further resolved, That we recommend the further expenditure, by the general government, of twelve thousand dollars for the further completion of said Penitentiary.

Further expenditure of $12 00

Approved Jan. 17, 1856.

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RESOLUTION

In Relation to the Election of the Chancellor, Regents and Treasurer of the University of the State of Deseret.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

Chancellor, Regents and Treasurer, how elected.

That the Chancellor, Regents and Treasurer of the University of the State of Deseret shall be elected by the joint vote of both houses of the present Legislative Assembly, and shall hold their office for the term of four years, and until their successors are elected and qualified; and all laws and parts of laws conflicting with this resolution are hereby repealed.

For four years.

Approved Jan. 3, 1856.

AN ACT

Granting and confirming unto the University of the State of Deseret certain land claims therein mentioned.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Boundaries.

That all that portion of land described as follows, to wit: Beginning at a point one half mile due east from the north east corner of plot B, in Great Salt Lake City, and extending due south two hundred and eighty rods; thence east one mile; thence north two hundred and eighty rods; thence west to the place of beginning; or as it is now bounded and commonly known as the University ground, granted to the University of the State of Deseret by the Legislative Assembly of the Provisional Government, is granted and confirmed unto the said University of the State of Deseret; together with all the privileges, products, appurtenances and benefits appertaining thereto or arising therefrom.

Granted and confirmed.

Approved Dec. 28, 1855.

AN ACT

Appropriating Money for Educational Purposes and defining certain Duties of the Chancellor and Board of Regents of the University of the State of Deseret.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That the sum of two thousand five hundred dollars is appropriated out of any money in the treasury not otherwise appropriated, to be drawn by the chancellor, and expended under the direction and control of the chancellor and board of regents, in procuring fonts of Deseret alphabet type, in paying for printing books with said type, and for other purposes. $2500 appropriated. Expended under control of

Sec. 2. The chancellor and board of regents are authorized and required to furnish, or cause to be furnished, copy for all publications they may order, to control the sale thereof, and to apply the profits arising therefrom to the most advantageous promotion of education, including such payments to the superintendant of common schools for services rendered under their direction, as they may from time to time deem proper. Chancellor and regents to furnish copy. Profits how applied.

Approved Dec. 28, 1855.

AN ACT

In Relation to Counties.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Carson county is hereby extended, and shall be bounded north by Oregon; west and south by California, and east by the 118th parallel of west longitude. Boundary of Carson co.

Sec. 2. All that portion of Utah Territory bounded north by Oregon, west by Carson county, south by Millard county, and east by longitude 116 degrees west, Boundary of Humboldt co.

Probate judge to organize, &c.

is, and the same shall hereafter be called Humboldt county, and the probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Boundary of St. Mary's co.

Sec. 3. All that portion of Utah Territory bounded north by Oregon, west by Humboldt county, south by Millard county, and east by longitude 114° west, is, and the same shall hereafter be called St. Mary's county, and the probate judge, when elected, is hereby authorized to organize the same and to locate the county seat thereof.

Probate judge to organize, &c.

Boundary of Greasewood co.

Probate judge to organize, &c.

Sec. 4. All that portion of Utah Territory bounded north by Oregon, west by St. Mary's county, south by Desert county, and east by that portion of the west shore of Great Salt Lake, lying between the north line of Desert county and the most westerly point of said lake, and by a line running north from said most westerly point to the southern boundary of Oregon, is, and shall hereafter be called Greasewood county, and the probate judge when elected is hereby authorized to organize the same and locate the county seat thereof.

Boundary of Cache co.

Probate judge to organize, &c.

Sec. 5. All that portion of Utah Territory bounded north by Oregon, west by the summit of the mountains next west of Cache valley, south by a line running east from a point six miles north of Brigham Young, sen., and Lorenzo Snow's flouring mill in Brigham city, to the west line of Green River county, and east by Green River county, is, and the same shall hereafter be called Cache county, and the probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Boundary of Box Elder co.

Sec. 6. All that portion of Utah Territory bounded as follows, viz: beginning in the center of the channel of Bear river, at the west line of Cache county, thence down said river five miles from the mouth of its lower kanyon; thence west to Greasewood county; thence southerly along the eastern boundary of Greasewood county to a point due west from the hot springs at the territorial road in Weber county; thence east to the western boundary of Summit county; thence northerly along said boundary to the south line of Cache county; thence west along the south line of said county; thence northerly along the west boundary of said county to

the place of beginning, is, and shall hereafter be called Box Elder county; and the probate judge, when elected, is hereby authorized to organize the same; and the county seat is hereby located at Brigham city in said county.

Probate judge to organize, &c
County seat at Brigham city.

Sec. 7. All that portion of Utah Territory bounded north by Oregon, west by Greasewood county, south by Box Elder, and east by Cache counties, is, and the same shall hereafter be called Malad county; and the probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Boundary of Malad co.

Probate judge to organize, &c.

Sec. 8. All that portion of Utah Territory bounded north by Great Salt Lake county, east by a line running lengthwise through the center of Utah Lake and by the center of the channels of Jordan river and Salt creek, so far as those streams run in Utah county; south by Juab county and west by Tooele county, is, and shall hereafter be called Cedar county; and the probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Boundary of Cedar co.

Probate judge to organize, &c.

Sec. 9. All that portion of Utah Territory bounded north by Millard county; east by the territorial line; south by an east and west line crossing the military road on the summit of the ridge dividing Little Salt Lake and Upper Beaver valleys; and west by Carson county, is, and the same shall hereafter be called Beaver county; and the probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Boundary of Beaver co.

Probate judge to organize, &c.

Sec. 10. The boundary between Iron and Washington counties shall be a line running east and west across this Territory, through a point four miles north from the north east corner of Fort Harmony.

Boundary between Iron and Washington co

Approved Jan. 5, 1856.

AN ACT

Creating and defining the Boundaries of Shambip County.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of Tooele county bounded on

Boundary defined.

the south by Juab county; on the east by Cedar county to where it will strike a direct line running west on the summit of the dividing ridge between Tooele and Rush valleys; thence west to St. Mary county; thence south, along the line of said county, to Juab county, shall be, and is hereby called Shambip county. The probate judge, when elected, is hereby authorized to organize the same and locate the county seat thereof.

Probate Judge to organize, &c.

Approved Jan. 12, 1856.

RESOLUTION

Relating to Greasewood, St. Mary's and Humboldt Counties.

Resolved, by the Governor and Legislative Assembly of the Territory of Utah:

St. Mary's and Humboldt to Tooele co. Greasewood co. to Malad co. until organized.

That St. Mary's and Humboldt counties be and the same are hereby attached to Tooele county; and Greasewood county to Malad county for election, revenue and judicial purposes, until the same shall be organized.

Approved Jan. 3, 1856.

AN ACT

Apportioning the Representation of Utah Territory.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That at the general election for eighteen hundred and

fifty seven, and biennially thereafter, Malad, Cache, Box Elder and Weber counties shall elect two councilors to the Legislative Assembly; Davis county one; Great Salt Lake, Tooele and Shambip counties, five; Utah and Cedar counties, two; San Pete and Juab counties, one; Millard and Beaver counties, one; and Iron and Washington counties, one; and that at the general election for eighteen hundred and fifty six, and annually thereafter representatives to the Legislative Assembly shall be elected as follows: from Malad, Cache and Box Elder counties, one; from Weber county, one; from Davis county, two; from Great Salt Lake county, eleven; from Green River county, one; from Tooele and Shambip counties, one; from Carson county, one; from Utah and Cedar counties, three; from Juab county, one. from San Pete county, one; from Millard and Beaver counties, one; from Iron and Washington counties, two.

Apportionment of councilors.

Apportionment of representatives.

Sec. 2. All laws and parts thereof conflicting with this act are hereby repealed.

Repealing clause.

Approved Jan. 17, 1856.

AN ACT

Providing for the Enumeration of the Inhabitants of the Territory of Utah.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That a census agent shall be elected by the joint vote of this Legislative Assembly, who shall be sworn to discharge the duties of his office.

Census agent appointed and sworn.

Sec. 2. It shall be the duty of the census agent to ascertain the number of inhabitants in this Territory, distinguishing males and females, and number in each county, and make report thereof to the Governor on or before the first Monday in March next.

Duty of census agent.

Sec. 3. The census agent is authorized to appoint such number of assistants as he may deem proper, who shall qualify as the agent and act under his direction.

Authorized to appoint assistants.

Approved Dec. 17, 1855.

AN ACT

To amend an Ordinance creating a Surveyor General's Office.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That the words "Keep his office at the seat of government and" be, and the same are hereby stricken out of the first and second lines of the third section of "An ordinance creating a surveyor general's office." Approved March 2, 1850.

Words stricken out.

Approved Jan. 3, 1856.

AN ACT

Providing for holding a Convention with a view to the admission of Utah into the Union as a State.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That an election shall be held in each precinct in the several counties, at the usual places of holding the general election, on Saturday the 16th day of February, A.D. 1856, at which time and places the electors may vote for or against holding a Convention to take the preparatory steps for the admission of this Territory into the Union as a State, and for such persons as they may wish to elect delegates thereto, according to the following apportionment:—

Election to be held.

Where and When.

Delegates.

Apportionment of delegates.

Great Salt Lake and Summit counties	-	Sixteen.
Weber and Desert ,,	-	Four.
Iron and Washington ,,	-	Three.
Davis county - -	-	Three.
Green River county - - -	-	One.
Tooele ,, - - -		One.
Utah ,, - - - -		Five.
Juab ,, - - -		One.
San Pete ,, - - - -		Two.
Millard ,, - - - -		Two.
Carson ,, - - -	-	One

election how conducted.

Sec. 2. The election shall be conducted in accordance with the "Act regulating elections;" approved January 3, 1853, so far as applicable, and so soon as the general abstract of the names voted for as delegates is made out, the county clerk shall furnish an official notification of election to each person found elected, which notification, upon presentation at the office of the Secretary of the Territory, shall entitle the person holding it to a certificate from the secretary, or to a seat in the convention in case that officer, from any unforeseen cause, should be prevented from giving such certificate.

County clerk shall furnish certificate.

Secretary furnish certificate.

Sec. 3. The delegates shall meet in the Council House, in Great Salt Lake City, on the third Monday in March, A.D. 1856; shall qualify by taking the customary oath, which may be administered by any person authorized to administer oaths; and shall proceed to organize by choosing a president, secretary, and such other officers as they may deem proper.

Sec. 4. The convention is authorized to form and adopt a constitution for the now Territory of Utah, with a view to its admission into the Union as a State, on an equal footing with the original States; to define the boundaries by which the new State shall be limited, and designate the name by which it shall be known; to memorialize the President and Congress of the United States for its admission; to take such other lawful and prudent measures as they may deem necessary for the accomplishment of so desirable an object, and to elect and authorize delegates whose duty it shall be to present the constitution, memorial, and other appropriate convention documents to the President and Congress of the United States, and to use their best efforts towards procuring a favorable action thereon.

Sec. 5. The convention shall submit the constitution which they form and adopt, the names of the delegates they elect, and their other public documents, designed by them to be entrusted to said delegates, to the people for their approval at such time and places and in such manner as it may prescribe; and if approved by the people, the delegates thus elected shall forthwith repair to Washington, district of Columbia, to perform the duties herein specified, and such other duties as the convention may with propriety devolve upon them.

Submitted to the people.

If no election in Carson co.

SEC. 6. In event that the electors in Carson county do not receive timely notice of the election to be held on Saturday the 16th day of February next, as hereinbefore specified, the probate judge of that county is hereby empowered and required to hold such election on any subsequent day, Sundays excepted, that will leave sufficient time for the delegate to reach the convention, and until he shall appear to take his seat, the present representative from that county, the Hon. Enoch Reese, is authorized to act in his stead.

Hon. Enoch Reese to act.

Approved Dec. 17, 1855.

RESOLUTION

Defining the Judicial Districts for the United States Courts, in the Territory of Utah.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

First district.

That the first judicial district shall embrace and be composed of Davis, Weber, Box Elder, Cache, Summit, Green River, Malad, Greasewood and Desert counties.

Second district.

The second of Utah, Cedar, Juab, San Pete, Millard,

Third district.

Beaver, Iron and Washington counties; and the third of Great Salt Lake, Tooele, Shambip, Saint Mary's, Humboldt and Carson counties: and that so much of

Repealing clause.

"An act relating to the United States Courts for the Territory of Utah," apppoved Jan. 19, 1855, as pertains to the bounds of said judicial districts, is hereby repealed.

Approved Jan. 17, 1856.

RESOLUTION

Assigning the United States Judges for Utah to the several Judicial Districts.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

J. F. Kinney, first District.

That the Hon. John F. Kinney, chief justice, is as-

signed to the first judicial district; the Hon. W. W. Drummond, associate justice, to the second; and the Hon. George P. Stiles, associate justice, to the third; and that the "Resolution assigning the United States Judges for Utah to the several Judicial Districts," approved Jan. 19, 1855, is hereby repealed. W. W. Drummond second district. Geo. P. Stiles third district. Repealing clause.

Approved Jan. 17, 1856.

RESOLUTION

Specifying the Times of holding United States Courts in the several Judicial Districts in the Territory of Utah.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

That the times of holding district courts annually in the several judicial districts shall be as follows:—In the first judicial district on the first Monday in March, in the county seat of Davis county; on the second Monday in March, in the county seat in Weber county; on the third Monday in March, in the county seat of Box Elder county; and on the first Monday in May, in the county seat of Green River county. In the second judicial district, on the second Monday in April, in the county seat of Utah county; on the fourth Monday in April, in the county seat of San Pete county; on the second Monday in May in the county seat of Millard county; and on the first Monday in June, in the county seat of Iron county. In the third judicial district, on the first Monday of July, in the county seat of Carson county; on the third Monday in October, in the county seat of Tooele county; and on the first Monday in November, in the county seat of Great Salt Lake county; and that the "Resolution specifying the times of holding the United States Courts in the several judicial districts," approved Jan. 19, 1855, is hereby repealed. First district. Second district. Third district. Repealing clause.

Approved Jan. 17, 1856.

AN ACT

To amend "An Act in relation to Marshals and Attorneys."

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That "An act in relation to Marshals and Attorneys," approved March 3, 1852, is hereby amended by striking out the words "to keep his office at the seat of government," in the second line of section 5, in said act.

Amendment.

Approved Dec. 31, 1855.

RESOLUTION

Concerning furnishing a certified Copy of Court Records and Papers.

Resolved by the Governor and Legislative Assembly of the Territory of Utah:

That no court shall be obliged to furnish a certified copy of its record or paper, or of any part thereof, as required in the ninth section of "An act regulating the mode of procedure in civil cases in the courts of the Territory of Utah," unless pay is tendered for so doing.

Pay to be tendered for copy of record, &c.

Approved Jan. 12, 1856.

AN ACT

Prescribing the Term of Certain Offices.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That the term of all offices filled by joint vote of the Legislative Assembly shall be one year from the date of election, and shall commence with the officers elected at this session: Provided, that in all cases incumbents shall continue in office until their successors are qualified. Term of offices one year. Proviso.

Sec. 2. All acts and resolutions, or parts thereof, conflicting with this act are hereby repealed. Repealing clause.

Approved Jan. 12, 1856.

RESOLUTION

Relating to the Publishing and Distribution of the Laws and Journals of the Present Session.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That there shall be published three thousand copies of the laws, and one thousand copies of the journals of the present session of the Legislative Assembly, including the Governor's Message, in book form. 3000 copies of Laws to be published and 1000 copies of the Journals.

Sec. 2. The Secretary of the Territory is hereby required to furnish the governor of each State and Territory with one copy each of the laws and journals, and the governor of Utah Territory with twenty-five copies of each, the laws and journals; two copies of the laws and one of the journals to each of the members of the present Legislative Assembly; and one copy of each to each officer of the houses; two copies of each to each of the judges of the supreme and probate courts in the Territory; one copy of each to each of the clerks of the supreme, district and probate courts; one copy of each to the United States Marshal and each of his deputies, and the United States district attorney for the Territory of Utah; and one copy of each to each civil officer in the Territory of Utah, including the mayor, aldermen, Secretary to distribute Laws and Journals.

recorder and marshal of each incorporated city; one copy of the laws to the commandant of the Nauvoo Legion, the commandant of each military district, and the commandants of each brigade, regiment and battalion, and their staff officers respectively, and captains of companies; to the Utah library and the library of the University of the State of Deseret, each five copies of the laws and journals; and two copies each to any other public library in the Territory.

Approved Jan. 17, 1856.

AN ACT

Granting to Isaac Bullock and Lewis Robinson the right to erect Ferries across Green River and to control the same.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Grant. That the exclusive right and privilege of ferries across Green river be granted unto Isaac Bullock and Three years. Lewis Robinson, of Green river county, in said Territory, for the space of three years from and after the 15th day of May, A.D. 1856.

Rates of toll. Sec. 2. The rates of toll across said ferries shall be as follows:—

For any vehicle, together with its loading, weighing not over 1000lb - -	$2.00 each.
For any vehicle, together with its loading, weighing over 1000lb. and not over 2000lb. - - - - -	$3.00 ,,
And the rate to increase $1 for each additional 1000lb. weight.	
For each horse, mule, ox, or cow -	0.50 ,,
For each sheep, goat, or swine - -	0.25 ,,

Not required to run during high water &c. Sec. 3. In case of high water, winds, rains or storms of any kind, which render the crossing unsafe, then said ferries shall not be required to run, but any

agreement of parties shall be allowed as to risk and price of crossing: Providing, that nothing herein shall justify the parties in taking more than one-third over the within specified rates of toll. But at all suitable times when the river is not fordable, the said ferries shall be provided with good and sufficient boats for crossing, and the said Isaac Bullock and Lewis Robinson shall furnish speedy and safe conveyance across said river, being liable for all damage that shall be sustained through their own neglect or carelessness.

One-third more allowed.

To furnish safe conveyance. Liability.

SEC. 4. The said Isaac Bullock and Lewis Robinson shall, quarter-yearly, pay, or cause to be paid, ten per cent. of all the proceeds arising from the privileges herein granted into the treasury of the Perpetual Emigrating Fund Company; and they shall, on or before the 16th day of May, 1856, give bond and security for the faithful performance of their duties herein required, to be approved by the territorial treasurer and filed in his office.

To pay 10 per cent. to P. E. Fund.

Give bond.

SEC. 5. In case of a failure on the part of the said Isaac Bullock and Lewis Robinson to provide good and sufficient means of conveyance across the said Green river, when the travel will justify it, at two or more of the most convenient and safe places of crossing on the main routes of travel from the Missouri river, or Arkansas, to Oregon, Utah and California, within this Territory, the Governor is hereby authorized and empowered to appoint some other person to take charge of said ferries, and perform the duties herein required upon the same terms as herein specified.

In case of failure to provide conveyance.

Governor empowered to appoint.

Approved Dec. 27, 1855.

AN ACT

Granting to Brigham Young, Sen. and Joseph Young, Sen. the right to establish and control Ferries on Bear river, also a Bridge on the Malad.

SEC. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Brigham Young, sen. and Joseph Young, sen. shall have the right to establish and control a ferry or

Grant for three years.

ferries on Bear river, for three years, at such place or places as will best subserve the public interest, between the mouth of said river and a point five miles east of the mouth of the kanyon where the river comes through the mountains.

Rates of toll.

SEC. 2. The said Brigham and Joseph Young shall be allowed to take toll at the following rates, viz:—

For any vehicle not over 2000lb weight -	$2.00
" over 2000lb. weight and less than 3000lb. - - -	4.00
" over 3000lb. weight and less than 4000lb. - - -	5.00
For all vehicles over 4000lb weight - -	6.00
All animals with packs, each - - -	1.00
All horses, mules, jacks, oxen and bulls, each	0.25
All colts, calves, sheep and hogs, each -	0.10

Required to keep good bridge.

SEC. 3. The said Brigham and Joseph Young are hereby required to keep a good and substantial bridge across the Malad river at a convenient point for travelers to California, for three years, during ferrying seasons, and are empowered to collect toll at the following rates, viz.:—

Rates of toll.

For carriages, wagons and carts, each -	$1.30
For pack animals, each - - - - -	0.20
For all loose horses, mules, jacks, oxen and cows, each - - - - - - -	0.10
For sheep, colts, calves, goats and hogs, each -	0.02

All persons shall pass toll free.

Pay 10 per cent. to P. E. Fund.

SEC. 4. Said Brigham and Joseph Young shall pay ten per cent. of all they receive as toll on said ferry or ferries and bridge to the treasurer of the "Perpetual Emigrating Fund Company," on or before the first day of September annually.

File bond.

SEC. 5. Said Brigham and Joseph Young shall file their bonds with the Treasurer of the Territory in the penal sum of one thousand dollars, payable to the people of the Territory of Utah, conditioned for the faithful paying over of the ten per cent. herein required, and to indemnify any person from any damage they may sustain on account of the insufficiency of the ferry or bridge while charging toll.

Indemnity for damage.

If any other establish ferry, &c.

SEC. 6. If any person or persons shall establish a ferry within the before described limits of Bear river, or

a ferry or bridge on the Malad, and take toll thereon, without a grant from the Governor and Legislative Assembly shall forfeit and pay to the people of the Territory of Utah the sum of seven hundred dollars for each offence, to be collected as an action of debt.

forfeit $700 for each offence. How collected.

Approved Jan. 4, 1856.

AN ACT

Granting unto Aaron Johnson, William Miller, John Berry and their Associates the right of Water from Spanish Fork river in Utah County.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That the privilege is hereby granted unto Aaron Johnson, William Miller, John Berry, and those whom they may associate with them, to take one third of the water from the channel of Spanish Fork river, at or near the head of a slough near Spanish Fork City, and convey the same on the best possible route to a tract of land known as the Springville survey, plot D, and control the same for irrigating purposes, during the pleasure of the Legislative Assembly.

Grant one-third the water of Spanish Fork.

Approved Dec. 27, 1855.

AN ACT

In Relation to the Deseret Iron Works.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Brigham Young, sen., is authorized to subscribe

Subscription of $1000.

one thousand dollars as stock in the Deseret Iron Company, for the benefit of said Territory; and that he is

Draw on Territ. treasury.

hereby authorized to draw on the treasury of the Territory for the above sum, at any time he may think proper.

Sec. 2. The territorial treasurer is hereby author-

Treasurer to pay to B. Young.

ized and required to pay out of the territorial treasury, any money not otherwise appropriated, unto Brigham Young, sen., or his order, to the amount of one thousand dollars, for the purpose of taking stock in the aforesaid company.

Approved Jan. 12, 1856.

AN ACT

Granting unto Orson Pratt, Ormus E. Bates, Edwin D. Woolley, Levi E. Riter, Vincent Shurtleffe and Enoch Reese, a portion of Lone Rock Valley for a Herd Ground and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Boundaries.

That all that portion of Lone Rock Valley, in the Territory of Utah, bounded on the north by a line running west from the north west corner of the grant unto Brigham Young and others, in Rush Valley, to the summit of the mountains west of Lone Rock Valley; thence south along the summit of said mountains to a line running east, making the south boundary of the grant unto Brigham Young and others; thence east to the west line of said grant; thence north to the place of beginning; be, and the same is hereby granted unto Orson Pratt, Ormus E. Bates, Edwin D. Woolley, Levi

Grant.

Herd ground and other purposes during the pleasure of L. A.

E. Riter, Vincent Shurtleffe, and Enoch Reese, for a herd ground and other purposes, during the pleasure of the Legislative Assembly.

Sec. 2. The said Orson Pratt, Ormus E. Bates, Edwin D. Woolley, Levi E. Riter, Vincent Shurtleffe, and

Enoch Reese shall have the exclusive use and control of said grant, with all the products and benefits arising therefrom: Provided, that nothing herein shall be so construed as to prevent the inhabitants of this Territory from getting timber, poles, and wood, and grazing their teams while so doing.

Exclusive use.

Inhabitants to get timber, wood, &c., and graze teams.

Approved Jan. 5, 1856.

AN ACT

Granting a Ranch and Herd Ground unto Brigham Young and Thomas Rhoades.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country known as Kansas Prairie be and the same is hereby granted unto Brigham Young and Thomas Rhoades, of Great Salt Lake county and Territory of Utah, and to those whom they may see proper to associate with them, for a ranch and herd ground, during the pleasure of the Legislative Assembly.

Grant

Sec. 2. That the said Brigham Young and Thomas Rhoades and their associates shall have the exclusive right and control of said ground: Provided, the inhabitants of this Territory shall not be debarred the privilege of the timber, wood, or poles growing on the ground herein granted, and of grazing their teams thereon while actually engaged in hauling the same; nor shall any privilege herein granted be so construed as granting any mill privilege, or in any way debarring the right of the Legislative Assembly hereafter to grant any privilege for mills or machinery to others,

Exclusive control.

Inhabitants to get timber, wood, &c., and graze teams.

No mill privilege granted.

Sec. 3. The territorial surveyor-general of this Territory shall establish and mark the boundaries of the above described land, and the lines and boundaries thus

Surveyor-general to establish boundaries.

established by the surveyor-general, shall be the true and lawful boundaries of the above described grant.

Approved Dec. 18, 1855.

AN ACT

Granting unto Brigham Young, Trustee in Trust for the Church of Jesus Christ of Latter Day Saints, Cache Valley for herding and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Boundaries. That all that portion of country known as Cache Valley, in the Territory of Utah, and bounded on the north by the territorial line; and on the east, south, and west by the summit of the mountains surrounding said Cache Valley, be, and the same is hereby granted unto Brigham Young, Trustee in Trust for the Church of Jesus Christ of Latter Day Saints, and those whom he may associate with him; together with all the products and benefits arising therefrom, for a herd ground and other purposes.

Herd ground and other purposes.

Sec. 2. The said Brigham Young, and those whom he may associate with him shall have the exclusive use and control of said grant during the pleasure of the Legislative Assembly.

Exclusive control during the pleasure of L. A.

Approved Dec. 18, 1855.

AN ACT

Granting unto James G. Browning, Erastus Bingham, sen., James Brown, sen., Thomas Dunn and Lorin Farr, Ogden Valley for a herd ground.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country known as Ogden Hole

Valley, in the Territory of Utah, and bounded on the south by Ogden river; and on the east, north, and west by the summit of the mountains surrounding said valley, be, and the same is hereby granted unto James G. Browning, Erastus Bingham, sen., James Brown, sen., Thomas Dunn, and Lorin Farr, of Weber county, for a herd ground and other purposes, during the pleasure of the Legislative Assembly. Boundaries. Grant. Herd ground and other purposes during pleasure of L. A.

Sec. 2. The said James G. Browning, Erastus Bingham, sen., James Brown, sen., Thomas Dunn, and Lorin Farr shall have the exclusive control of said grant, together with all the benefits and privileges arising therefrom: Provided, the inhabitants of the Territory of Utah are not prevented from getting timber, wood and poles from said valley and mountains, and grazing their teams in said valley while so engaged. Exclusive control. Proviso: getting timber, &c., grazing teams.

Approved Dec. 27, 1855.

AN ACT

Granting unto Phinehas H. Young, Albert P. Rockwood and Jesse Hobson, Fremont's Island, in Great Salt Lake, for Herding and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country known as Fremont's Island, situated in Great Salt Lake, Territory of Utah, be, and the same is hereby granted unto Phinehas H. Young, Albert P. Rockwood and Jesse Hobson, for a herd ground and other purposes. Grant. Herd ground and other purposes.

Sec. 2. The said Phinehas H. Young, Albert P. Rockwood and Jesse Hobson shall have the exclusive use and control of said grant, together with all the products and benefits arising therefrom, during the pleasure of the Legislative Assembly. Exclusive use, &c. During the pleasure of L. A.

Approved Dec. 27, 1855.

AN ACT

Granting unto Brigham Young, Wilford Woodruff, Luke Johnson, James W. Cummings, Samuel Bennion, William A. Hickman, Jesse C. Little and Claudius V. Spencer, Rush Valley for a Herd Ground and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Except the U. S. reserve; Boundaries.

That all that portion of Rush Valley in the Territory of Utah (except the United States reserve) bounded on the north by the summit of the ridge dividing Tooele and Rush Valley; on the west by the summit of the mountains skirting Rush Valley; on the south by a line running due east from the summit of said mountains, and passing twelve miles south of Hickman's springs, to the foot of the mountains bounding said valley on the east; thence north along the base of said mountains to where said dividing ridge intersects them, be, and the same is hereby granted unto Brigham Young, Wilford Woodruff, Luke Johnson, James W. Cummings, Samuel Bennion, William A. Hickman, Jesse C. Little and Claudius V. Spencer for a herd ground and other purposes.

Grant.

Herd ground and other purposes.

Sec. 2. The south line of said grant shall be determined by the territorial surveyor general; and the United States reserve, which is within the limits of said grant, shall be included in the same, when relinquished by government.

U. S. reserve included.

Sec. 3. The said Brigham Young, Wilford Woodruff, Luke Johnson, James W. Cummings, Samuel Bennion, William A. Hickman, Jesse C. Little and Claudius V. Spencer shall have the exclusive use and control of said grant, together with all products and benefits arising therefrom, during the pleasure of the Legislative Assembly.

Exclusive use, &c. during the pleasure of L. A.

Approved December 27, 1855.

AN ACT

Granting Benjamin F. Johnson and Isaac Morley the right of controlling the District of Santaquin, heretofore known as Summit creek, with its natural facilities, establishing a Herd Ground, &c.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Benjamin F. Johnson and Isaac Morley are hereby authorized and empowered to control for the benefit of those who shall become resident citizens at Santaquin, in Utah county, all the natural facilities and interests, consisting of water, timber, wood, poles, mowing grass, range for stock, &c., within the following limits: commencing on the summit of the mountains east of the head of Spring creek, south of Payson incorporation; thence to Spring creek; thence three miles down said creek; thence west to the Utah lake or Salt creek; thence up Salt creek to the point or gap where it issues from Juab valley; thence northerly on the summit of low mountains to within one and a half miles of the Juab county line; thence east to the summit of the mountains next east of Juab valley; thence on said summit unto the place of beginning; together with the right of establishing a herd ground within the above limits, and of occupying and controling the same during the pleasure of the Legislative Assembly: Provided, that the traveling community shall not be debarred the privilege of grazing their teams thereon, as may be necessary while passing through the same.

Authorized to control to residents all natural facilities, &c.

Boundaries.

Right of herd ground. During the pleasure of L. A. Proviso: grazing teams.

Approved Dec. 31, 1855.

AN ACT

Granting to Elias Smith, Joseph Cain, Samuel W. Richards, and those whom they may associate with them, the right of a Herd Ground in Juab county.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of Juab valley, in Juab county, lying north of a line directly across the valley, intercepting the main traveled road half way between Willow creek and what is commonly known as the Panyon spring, to within one and a half miles of the Utah and Juab county line, is granted to Elias Smith, Joseph

Boundaries.

Grant.

Herding and other purposes during the pleasure of L. A.

Cain, Samuel W. Richards, of Great Salt Lake City, and those whom they may associate with them, for herding and other purposes, during the pleasure of the Legislative Assembly.

Exclusive privilege. Proviso.

Sec. 2. The said Elias Smith, Joseph Cain, Samuel W. Richards and their associates shall have the exclusive privilege and control of said ground: Provided, however, that the traveling community shall not be debarred from passing and repassing through said ground on the usually traveled road and having access to grass and water for traveling purposes.

Approved Jan. 2, 1856.

AN ACT

Granting unto Thomas J. Thurston, Jedediah M. Grant and George W. Thurston, the south end of Weber valley for a Herd Ground and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

Boundaries.

That all that portion of Weber valley, in the Territory of Utah, bounded on the north by a line commencing at the summit of the mountains skirting said valley on the west, and running due east crossing Weber river one mile below the junction of East Kanyon creek with said river, and terminating at the summit of the mountains bounding said valley on the east; thence along the summit of the mountains south south-west, west, and north to the place of beginning, be, and the same is hereby granted unto Thomas J. Thurston, Jedediah M. Grant, and George W. Thurston, for a herd ground and other purposes.

Grant. Herd ground and other purposes.

Exclusive use,

Sec. 2. The said Thomas J. Thurston, Jedediah M. Grant and George W. Thurston, shall have the exclusive use and control of said grant, together with all the

products and benefits arising therefrom, during the pleasure of the Legislature Assembly. during the pleasure of L. A.

Approved Jan. 2, 1856.

AN ACT

Granting unto Franklin D. Richards, Silas Richards, Isaac Morley, James C. Snow, Aaron Johnson, Lorenzo H. Hatch and Leonard E. Harrington, a Herd Ground in Cedar and Juab counties.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country bounded as follows: beginning at the mouth of Salt creek, at the south end of Utah lake; thence up said creek to the center of its lower kanyon; thence south and south-westerly along the summit of the dividing ridge between Juab and Utah valleys; thence west, north westerly and northerly along on the summit of the dividing ridge between Utah lake and Cedar valley, to the southern boundary of Miles Weaver's herd ground; thence east to the lake; thence south following the lake to the place of beginning, be, and the same is hereby granted unto Franklin D. Richards, Silas Richards, Isaac Morley, James C. Snow, Aaron Johnson, Lorenzo H. Hatch and Leonard E. Harrington, for a herd ground and other purposes, with all the rights and privileges belonging thereto, during the pleasure of the Legislative Assembly: Provided, that nothing in this act shall be so construed as to prohibit the citizens of this Territory from getting wood or poles, or grazing their teams while engaged in so doing. Boundaries. Grant. Herd ground and other purposes. During the pleasure of L. A. Proviso: Getting wood, grazing teams.

Approved Jan. 5, 1856.

AN ACT

Granting unto Ezra T. Benson, William H. Hooper, Thomas S. Williams, Gilbert Webb and David Candland, a Herd Ground in Lone Rock valley.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country in Lone Rock valley, in the Territory of Utah, bounded by a line commencing at the north west corner of the legislative grant unto Brigham Young and others, in Rush valley, and running north on the summit of the mountains to the north end of the same; thence due west to the foot of the mountains bounding Lone Rock valley on the west; thence south along the base of said mountains to a line running due east to the place of beginning, be, and the same is hereby granted unto Ezra T. Benson, William H. Hooper, Thomas S. Williams, Gilbert Webb and David Candland, for a herd ground.

Boundaries.

Grant.

Herd ground.

Sec. 2. The said Ezra T. Benson, William H. Hooper, Thomas S. Williams, Gilbert Webb and David Candland shall have the exclusive use and control of said grant, during the pleasure of the Legislative Assembly.

Exclusive use, during pleasure of L. A.

Approved Jan. 5, 1856.

AN ACT

Granting unto John Stoker, William Smith, John W. Hess and Abiah Wardsworth, the north end of Weber valley for a Herd Ground and other purposes.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of Weber valley, in the Territory of Utah, bounded on the south by the north line of the legislative grant given to Thomas J. Thurston, Jedediah M. Grant and George W. Thurston; on the

Boundaries.

west by the summit of the mountains skirting said valley on the west; on the north by the summit of the mountains bounding said valley on the north; and on the east by the summit of the mountains skirting said valley on the east; be, and the same is hereby granted unto John Stoker, William Smith, John W. Hess and Abiah Wardsworth, for a herd ground and other purposes. Grant. Herd ground and other purposes.

Sec. 2. The said John Stoker, William Smith, John W. Hess and Abiah Wardsworth, shall have the exclusive control of said grant, during the pleasure of the Legislative Assembly. Exclusive control, during pleasure of L. A.

Approved Jan. 8, 1856.

AN ACT

Granting unto Jacob G. Bigler, Charles H. Bryan, George W. Bradley, Israel Hoyt and William Cazier, a Herd Ground in Juab valley.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country, in Juab valley, Territory of Utah, bounded as follows: commencing at the base of the mountains skirting said valley on the east, at a point five miles south of Nephi city, and running due west to the summit of the mountains, bounding said valley on the west; thence south along the summit of said mountains to a point where the State road crosses them; thence to the base of the mountains on the east of said valley; thence north along the base of said mountains to the place of beginning; be, and the same is hereby granted unto Jacob G. Bigler, Charles H. Bryan, George W. Bradley, Israel Hoyt and William Cazier, for a herd ground. Boundaries. Grant. Herd ground.

Sec. 2. The said Jacob G. Bigler, Charles H. Bryan, George W. Bradley, Israel Hoyt and William Cazier,

Exclusive control, during the pleasure of L.A.

shall have the exclusive control of said grant during the pleasure of the Legislative Assembly of the Territory of Utah.

Approved Jan. 12, 1856.

AN ACT

Granting a Herd Ground unto Heber C. Kimball and John D. Parker.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country in Cache county, Utah Territory, east of the summit of the mountains east of Cache valley, be, and the same is hereby granted unto Heber C. Kimball and John D. Parker, for a herd ground and other purposes.

Grant. Herd ground and other purposes.

Sec. 2. The said Heber C. Kimball and John D. Parker shall have the exclusive use and control of said grant, together with all the products and benefits arising therefrom, during the pleasure of the Legislative Assembly.

Exclusive use, during the pleasure of L.A.

Approved Jan. 12, 1856.

AN ACT

Granting a Herd Ground to Lorenzo Snow, Franklin D. Richards, Phinehas H. Young, Daniel Spencer, Eli H. Pierce, Charles W. Hubbard and Jonathan Browning.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country in the Territory of

Utah, bounded as follows: north by Malad county; east by a parallel line beginning at the south line of Malad county, running south so as to intersect a point fifteen miles directly west of Brigham city, and terminating at Great Salt Lake; thence along the shore of said lake to the east line of Greasewood county; thence north to the south line of Malad county, be, and the same is hereby granted to Lorenzo Snow, Franklin D. Richards, Phineas H. Young, Daniel Spencer, Eli H. Pierce, Charles W. Hubbard and Jonathan Browning, for a herd ground. Boundaries. Grant. Herd ground.

Sec. 2. The said Lorenzo Snow, Franklin D. Richards, Phineas H. Young, Daniel Spencer, Eli H. Pierce, Charles W. Hubbard and Jonathan Browning shall have exclusive control of said ground during the pleasure of the Legislative Assembly. Exclusive control, during the pleasure of L. A.

Approved Jan. 12, 1856.

AN ACT

Granting unto William W. Phelps and Hugh M'Kinney a Herd Ground.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country bounded as follows: commencing on the north-west corner of the legislative grant unto Brigham Young and Thomas Rhoades; thence to the summit of the mountains west of Weber river; thence along the summit of said mountains northwardly five miles; thence eastwardly across Weber river and valley to the summit of the mountains east; thence southwardly to the east fork of Weber river; thence down said fork and along the north line of Brigham Young and Thomas Rhoades grant to the place of beginning; be, and the same is hereby granted unto William W. Phelps and Hugh McKinney for a herd ground. Boundaries. Grant. Herd ground.

Exclusive control, during the pleasure of L. A. Proviso: getting wood, &c., grazing teams.

Sec. 2. The said William W. Phelps and Hugh McKinney shall have the exclusive control of said grant during the pleasure of the legislature: Provided, that the inhabitants of the Territory of Utah are not prohibited from getting wood, poles and timber therefrom, and grazing their teams thereon while so doing.

Approved Jan. 12, 1856.

AN ACT

Granting unto Frederick Kesler a Herd Ground.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of country in the Territory of Utah, bounded as follows: beginning at the south east corner of Frederick Kesler's survey in Black Rock plat, lot 2; thence westerly on the north side of the Territorial road, to a point two miles east of the Black Rock; thence north to the south shore of Salt Lake; thence easterly on the south shore of said lake to a point due north from the said Kesler's south east corner; thence south to the place of beginning, be, and the same is granted unto Frederick Kesler for a herd ground.

Boundaries.

Grant for herd ground.

Sec. 2. The said Frederick Kesler shall have the exclusive use and control of said grant during the pleasure of the Legislative Assembly: Provided, that the right herein granted shall not allow the said Frederick Kesler to fence in the springs on the north side of, and adjoining the Territorial road leading from Great Salt Lake City to Black Rock.

Exclusive use, during the pleasure of L. A. Proviso: springs not fenced.

Approved Jan. 17, 1856.

AN ACT

Granting unto the San Pete Coal Company a Herd Ground in San Pete county.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That all that portion of San Pete county within the following boundaries: commencing at the bridge where the county road leading from Manti to Nephi crosses the San Pitch river; thence north to the mountains; thence north-westerly to the county line between Juab and San Pete counties; thence south along the line to a point four miles south of the kanyon known as Coal kanyon; thence east to the County road; thence along said road to the place of beginning, be, and the same is hereby granted unto Brigham Young, sen., Isaac Morley, sen., George Peacock, Warren S. Snow, Welcome Chapman, Elijah Averett, George W. Bradley, Benjamin F. Johnson, Aaron Johnson and James C. Snow, for a herd ground and other purposes, during the pleasure of the Legislative Assembly.

Boundaries

Grant.

Herd ground and other purposes, during pleasure of L. A.

Sec. 2. Nothing in this act shall be so construed as to interfere with any previous rights; or to prevent any settler from getting timber, wood, or poles; or baiting their teams while engaged in so doing: or preventing the traveling public from camping privileges.

Previous rights, &c.

Approved Jan. 17, 1855.

AN ACT

To Incorporate the San Pete Coal Company.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Brigham Young, Isaac Morley, George Peacock, Warren S. Snow, George W. Bradley, Elijah Averett, Benjamin F. Johnson, James C. Snow and Welcome

Grant.

Chapman are hereby constituted a body corporate, with the exclusive right of controling the road and coal beds in Coal kanyon, in San Pete county, during the pleasure of the Legislative Assembly.

During the pleasure of L. A.

Sec. 2. Said company shall be known by the name and style of "The San Pete Coal Company," and by that name shall be qualified to sue and be sued; to elect such officers and establish such laws and regulations as may be necessary to carry into full effect the provisions of this act.

Name. To sue, &c.

Sec. 3. Said company are hereby required to complete said road, and keep the same in good repair, and to use due diligence to keep a supply of coal mined, and in a convenient place for loading the same, for the accommodation of the inhabitants of the Territory.

To complete, &c., said road. Keep coal mined.

Approved Jan. 8, 1856.

AN ACT

Incorporating the Davis County Canal Company.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Brigham Young, sen., William Smith, Lott Smith, Thomas Kington, James Leithead, Hector C. Haight, Dorr P. Curtis, Allen Taylor, Thomas J. Thurston, John Bear, Thomas J. Smith, John W. Hess, John Stoker, Alfred Alder, Reddick N. Allred, and those whom they may associate with them, and their successors, be, and the same are hereby constituted a body coporate to be known by the name and style of the "Davis County Canal Company," for the purpose of making a canal from the Weber river to Great Salt Lake City, or any portion thereof, and using the same.

Body corporate For making canal.

Sec. 2. Said company shall have power to sue and be sued, to defend and be defended in all courts of law or equity; to hold, lease, rent, or convey property real or personal; and shall have perpetual succession for the term of fifty years; and may have a corporation seal which they may use and alter at pleasure; and to do all other acts necessary for the proper exercise of the

Powers granted for 50 years.

powers conferred and establish all needful rules and regulations of the privileges conferred in this act.

Sec. 3. The aforesaid company shall have the right and privilege, and the same are hereby conferred, to take out one half of the Weber river in Davis county, at or near where the said river comes out of the mountains, and conduct the same upon the most practicable route to any point between the mouth of Weber kanyon and Great Salt Lake City. To take half of Weber river.

Sec. 4. The company shall have the entire control and management of all the waters thus taken out; and may use the same for the irrigation of lands, for mills, and machinery of any kind, and for navigation, and all other lawful purposes whatsoever; and have the right of way for tow paths, and access to and from the same; may sell, lease and dispose of the same, or any portion thereof, for any or all of the above purposes, on such terms and conditions as the parties may agree. Control of water. Tow paths.

Sec. 5. The company shall have the privilege of the right of possession of the land along the line of said canal, upon each side, one mile in width, except legal claims thereon now existing; and may sell, transfer and dispose of the same to aid them in the construction of said canal. They may receive payment from those already holding land claims, for whatever benefit they may receive by the canal passing through or by their claims. Right of possession one mile wide each side. Payment from those benefited.

Sec. 6. The company shall use every reasonable exertion to keep from doing damage by flooding or otherwise; and construct good and sufficient bridges at convenient distances across said canal for the accommodation of the public. Construct bridges.

Approved Jan. 12, 1856.

AN ACT

Incorporating "The Deseret Agricultural and Manufacturing Society."

Sec. 1. With a view of promoting the arts of domestic industry, and to encourage the production of articles from the native elements in this Territory: Be

it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the "Deseret Agricultural and Manufacturing Society," be formed and chartered as follows:—

Organization.

Sec. 2. There shall be a president and six directors who shall, in the first instance, be elected by the joint vote of the Legislative Assembly, and may elect a treasurer and secretary, and such other officers as they may deem necessary.

Body corporate.

Title.

Powers.

Sec. 3. Said board of president and directors are hereby constituted a body corporate, with perpetual succession; and shall be known by the name and style of "The Deseret Agricultural and Manufacturing Society," and shall have power to sue and be sued; defend and be defended in all courts of law or equity; and may have a seal which they may use and alter at pleasure.

Sec. 4. Said society have power to make, establish and carry out all needful bye-laws, not conflicting with the Constitution of the United States and the laws of this Territory; and to do and perform all acts necessary for the proper exercise of the powers herein conferred, and for promoting the objects contemplated in this act.

Annual exhibition.

Sec. 5. They shall hold an annual exhibition at Great Salt Lake City, or at such other place or places as they shall deem proper, of all such agricultural products, stock and domestic manufactured articles as, in their opinion, will be best calculated to stimulate the people of this Territory in industrial pursuits, and best subserve the cause of domestic industry; and shall award premiums for the best specimens of all such articles and animals as they will permit to be entered in the lists for competition; and shall annually publish a list of what they will consider entitled to premiums and fix the rate and award premiums as they shall deem proper: Provided, that other articles than those included in the list shall be admitted and arranged for by the board and be exhibited under their direction.

Award premiums.

Publish a list.

Proviso.

Majority form quorum.

Sec. 6. A majority of said board shall form a quorum to do business, may fill vacancies in the board, and fix the manner and rate of the admission of members to said society.

Sec. 7. For the purpose of starting this enterprise

and aiding the president and directors in carrying out the objects contemplated in this act, the sum of fifteen hundred dollars is hereby appropriated, to be drawn by the treasurer of said society, and expended by the board in awarding premiums for the best specimens of native productions, on exhibition for premiums under their direction. Appropriation of $1500.

Sec. 3. No person can become a member of this society, or be entitled to receive any premium, without complying with such rules and terms of admission as shall be established by said board. Order of membership.

Approved Jan. 17, 1856.

AN ACT

To Incorporate the Deseret Express and Road Company.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That Jesse C. Little, Leonard W. Hardy, Orrin P. Rockwell, Franklin Neff, Almon W. Babbitt, William H. Hooper, Thomas S. Williams, Joseph L. Heywood, Albert P. Rockwood, Orson Hyde, Enoch Reese, Judson Stoddard, George D. Grant, William H. Kimball, John S. Palmer, Parley P. Pratt, William A. Hickman, and those whom they may choose to associate with them, and their successors, are hereby constituted a body corporate for the term of twenty-five years, for the purpose of constructing a road, commencing on the north or east line of the Territory near the South Pass; thence on the most practicable route, by the way of Great Salt Lake City, to the west line of the Territory, to intersect the California road in Carson county. Body corporate for 25 years. Route of road.

Sec. 2. Said company shall be known by the name and style of "The Deseret Express and Road Company," Title.

Powers.

and by that name shall have power to contract and be contracted with; to sue and be sued in all actions at law and in equity, in any court having jurisdiction; to purchase, hold, sell, convey and transfer personal property and real estate, and to do all other acts in their corporate name that any individual lawfully can or has a right to do; to have and use a common seal; to elect such officers and make such laws and regulations not repugnant to the laws of the United States or of this Territory, as they may deem necessary for the carrying into full effect the provisions of this act.

Exclusive control of road.

Sec. 3. Said company shall have the exclusive control said road, with power to collect toll on the same; and when the whole, or any part thereof, is completed to the acceptance of the territorial road commissioner, he shall specify the places where toll shall be collected, and the rates thereof.

Toll.

Give bonds.

Sec. 4. Said company shall give bonds to the people of the Territory of Utah, with sufficient security, to be approved by the territorial treasurer and filed in his office, conditioned for the faithful compliance with the requirements of this act, and to secure all persons for any damage that may accrue from their neglect.

Approved by.

Damage.

This act not to conflict with former enactments.

Sec. 5. This act shall not be so construed as to conflict with former legislative enactments pertaining to charters.

Approved Jan. 17, 1856.

AN ACT

Amending, confirming and legalizing an "Ordinance incorporating the Perpetual Emigrating Fund Company."

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That the "Ordinance incorporating the Perpetual Emigrating Fund Company," passed by the Provisional

Government of the State of Deseret, approved Sept. 14, 1850, is hereby amended, confirmed and legalized as follows:— Act amended, confirmed, &c.

Be it ordained by the General Assembly of the State of Deseret: That a general conference of the Church of Jesus Christ of Latter Day Saints, or a special conference of said church, to be called at such time and place as the First Presidency of said church shall appoint, is hereby authorized to elect, by a majority, a company of not less than thirteen men, one of whom shall be designated as their President, and the others as assistants. General conference to elect 13 men.

Sec. 2. This company is hereby made and constituted a body corporate, under the name and style of "The Perpetual Emigrating Fund Company;" and shall have perpetual succession, and may have and use a common seal which they may alter at pleasure. Body corporate. Title.

Sec. 3. Said company, under the name and style aforesaid, shall have power to sue and be sued; plead and be impleaded; defend and be defended in all courts of law or equity, and in all actions whatsoever; to purchase, receive, and hold, either by donation, on deposit, or otherwise, money and every kind of property, real and personal; to emit bills of credit and exchange; to sell, lease, convey, or dispose of property, real and personal; and finally, to do and perform any and all such acts as shall be necessary and proper for the interest, protection, convenience, or benefit of said company. Powers.

Sec. 4. A majority of such members of said company as may at any time be in the immediate neighborhood of their president, shall form a quorum to do business, and shall elect a secretary and treasurer, and shall have power to select and appoint all other officers and agents necessary to transact the business of said company. Majority, &c., form a quorum. Powers.

Sec. 5. The president and assistants shall individually give bond and security in a sum not less than ten thousand dollars, to be approved by the First President of said church and filed in the general church recorder's office. Bonds.

Sec. 6. The secretary and treasurer, and all other officers or agents appointed by the company, shall give bonds and security, to be approved by the president of the company and filed in the company secretary's office. Bonds.

Settlement once a year.

Sec. 7. There shall be a general settlement of all business transactions of the company, so far as returns received from abroad will permit, as often as once in each year; and it shall be the duty of all the officers and agents to make out correct returns of all their transactions, and deliver or transmit them to the secretary of said company on or before the first day of December in each year; and, as soon as practicable thereafter, it shall be the duty of the president of the company to produce or exhibit a manifest thereof, and file it in the secretary's office, and file a copy of said manifest in the general church recorder's office.

Officers and agents make returns.

Duties of treasurer.

Sec. 8. It shall be the duty of the treasurer to keep an accurate account of all money or property received and disbursed by him, and make returns as hereinbefore directed.

Powers to appoint.

Duties of officers when removed.

Sec. 9. The company shall have the power of appointing and removing their officers and agents at pleasure; and it shall be the duty of said persons when removed to pay and pass into the hands of their respective successors, or of the company, all monies, property, books, papers and accounts, of every name and nature, belonging or in any way pertaining to the business of said company.

Proceeds how applied.

Sec. 10. The entire proceeds of the business of this company shall inure to the Perpetual Emigrating Fund for the poor, whether arising from donations, insurance, deposits, exchange, increased value of property, or in any other way or manner whatsoever, and the general business of the company shall be devoted, under the direction and supervision of the First Presidency of said church, to promote, facilitate, and accomplish the emigration of the poor.

Term of office.

Sec. 11. The members of this company shall hold their offices at the pleasure of the conferences hereinbefore mentioned; but the First Presidency of said church shall have power to fill all vacancies that may occur by death, removal, or otherwise; and all persons so appointed shall qualify and serve as hereinbefore directed, and hold their offices until superseded by an election.

No officer, &c., to retain funds.

Sec. 12. No officer, agent, or member of the company shall be permitted to retain in his hands any por-

tion of the funds of the company as compensation, but may receive such remuneration as shall be awarded upon settlement with the board of president and assistants. May receive remuneration.

Sec. 13. All persons receiving assistance from the Perpetual Emigrating Fund Company shall be held responsible therefor until paid. Responsibility of persons aided.

Sec. 14. The islands in Great Salt Lake, known as Stansbury's Island and Antelope Island are hereby reserved and appropriated for the use and benefit of said company, and said islands shall be under the exclusive control of President Brigham Young. Grants for herd grounds.

Approved Jan. 12, 1856.

RESOLUTION

Appropriating Money to Evan M. Green.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:

That the sum of two hundred and twenty three dollars and eighty eight cents be, and hereby is appropriated to the Hon. Evan M. Green out of any monies in the territorial treasury not otherwise expended, in full for his services in compliance with instructions to him, contained in "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory; their publication and distribution;" Revised Laws of Utah, chapter 95, page 269. Appropriation of $223.88.

Approved Dec. 20, 1855.

TERRITORIAL APPROPRIATION BILL.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That there be paid out of any money in the territorial treasury, not otherwise appropriated, the following amounts, viz:—

George Barber and Charles Bryant.

To George Barber and Charles Bryant for services in carrying the mail between Nephi and Fillmore cities during the session of the Legislature for 1855-6, ninety dollars.

George Peacock

Sec. 2. To George Peacock for opening a road to the coal banks in San Pete county, six hundred and twenty dollars.

J. O. Biglow.

Sec. 3. To James O. Biglow for repairing the bridge over Sevier river in December, 1855, sixty dollars.

B. Young, trustee, &c.

Sec. 4. To Brigham Young, as Trustee in Trust for the Church of Jesus Christ of Latter Day Saints, for extra expense now incurred on the Territorial House in Fillmore city, over and above the amount appropriated by Congress, fifteen thousand and seventy-eight dollars and ninety-two cents.

B. Young, trustee, &c.

Sec. 5. To Brigham Young, Trustee in Trust for the Church of Jesus Christ of Latter Day Saints, for work on arsenal, one thousand four hundred and forty-seven dollars and forty-five cents.

D. Carn.

Sec. 6. To Daniel Carn, for services as Warden of the Penitentiary, &c., &c., eight hundred and sixty-five dollars and fifty cents.

Auditor of accounts.

Sec. 7. To Auditor of Public Accounts, for services, stationery, &c., four hundred dollars.

D. McIntosh.

Sec. 8. To Daniel Mackintosh, for services, stationery, &c., as Treasurer, two hundred dollars.

H. B. Clawson.

Sec. 9. To Hiram B. Clawson, for services, &c., as Adjutant-General, five hundred dollars.

Carson county.

Sec. 10. To Carson county, the revenue arising from the territorial tax levied therein for the years 1855 and 1856, to be used by the county court for improvements in said county.

B. Young, governor.

Sec. 11. To Brigham Young, Governor of Utah Territory, the sum of three thousand nine hundred and seventy-one dollars, for defraying the expenses of determining points in the northern boundary of Utah; and

the sum of seven thousand, three hundred and forty-seven dollars, for defraying the expenses of determining points in the western and south-western boundaries of Utah; or so much thereof as may be necessary to be drawn and expended by the said Brigham Young at his discretion.

Approved Jan. 17, 1856.

GENERAL APPROPRIATION BILL.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

That there be appropriated out of the sum appropriated by Congress to pay the expenses of the Legislative Assembly of the Territory of Utah, the following amounts:—

For mileage of legislative members, one thousand and eight hundred dollars. Mileage.

Per diem of legislative members, four thousand, six hundred and eighty dollars. Per diem of members.

Per diem of officers of Legislative Assembly, one thousand six hundred and eighty dollars. Per diem of officers.

To Thomas W. Ellerbeck, secretary, and Leo Hawkins, assistant secretary of the Legislative Council; also to Thomas Bullock, chief clerk, and Jonathan Grimshaw, assistant clerk of the House of Representatives, for mileage to and from Great Salt Lake City and the capital, in attendance upon the Legislative Assembly for 1855-6, one hundred and ninety-two dollars. T. W. Ellerbeck. Leo. Hawkins. T. Bullock. J. Grimshaw.

To Evan M. Green, for balance due him for services in compliance with instructions to him contained in "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory; their publication and distribution;" (approved Jan. 19, 1855,) one hundred and three dollars and eighty-eight cents. E. M. Green.

Public printing, &c.

For printing and other contingent expenses of the Legislative Assembly, nine thousand, five hundred and thirteen dollars and twelve cents.

W. C. Staines.

To William C. Staines for seventy-two days' labor in numbering the books and arranging the catalogue of the territorial library, two hundred and sixteen dollars.

Librarian.

To the Librarian for his services during the current year, four hundred dollars.

T. Bullock.

To Thomas Bullock, for eight days' services in compiling the laws of Utah Territory in the beginning of the year 1855, twenty-four dollars.

R. L. Campbell.

To Robert L. Campbell, for five days' services in compiling the laws of the Territory of Utah, fifteen dollars.

J. L. Smith.

To John L. Smith, for three days' services in compiling the laws of Utah Territory, nine dollars.

L. Hawkins.

To Leo Hawkins, for twelve days' services at the close of the session in 1855, in examining and preparing the laws and journals for publication, thirty-six dollars.

T. Bullock.

To Thomas Bullock, for twelve days' services in examining and preparing laws and journals for publication in 1855, thirty-six dollars.

E. Hunter.

To Edward Hunter, for twelve days' rent for office for clerks, twelve dollars; for one load of wood, eight dollars; for 6lb candles, three dollars.

Six guards.

For mileage and payment of six guards from Carson county, to guard the representative from said county to Great Salt Lake City, and back again, twelve hundred dollars.

Three guards.

For mileage and payment of three guards to guard the representatives of San Pete county to the capital, eighty miles and back, through an Indian country, seventy-two dollars.

Approved Jan 17, 1856.

MEMORIAL.

To the Honorable Senators and Representatives of the United States in Congress assembled:

GENTLEMEN —

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, having located

upon and highly improved, for so brief a period, an isolated portion of the public domain, difficult of access and undesirable for occupancy by any other portion of our swarming millions; and fully aware of previous liberal appropriations for roads in other territories, and of the present unavailability of the application of the liberal sum already appropriated for making a road from Fort Riley to Bridger's pass in the Rocky Mountains, failing to connect with any road now opened, or that soon can be, unless through governmental aid; and knowing the immense general benefit of a good road from some point on the Missouri river, by way of the Box Elder pass in the Black Hills, Bridger's pass in the Rocky Mountains, the Kamas prairie in Utah, and Great Salt Lake City or Provo city, through Carson county to the east line of California:

Therefore, we most respectfully suggest the propriety and justice of an appropriation of two hundred thousand dollars for making a road from Bridger's pass in the Rocky Mountains to the east line of California, by the route above indicated; and only feel to urge the obvious incaluable advantages, both military and civil, which will arise from the judicious application of the sum specified. aside from rendering available the use of the appropriation for a road touching our eastern boundary, as already alluded to.

Approved Jan. 17, 1856.

MEMORIAL.

To the Honorable the Senators and Representatives of the United States in Congress assembled:

GENTLEMEN:—

We, your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that news from the General Government only reaches us at long and uncertain intervals, we not having heard therefrom at this present writing, Jan. 16, 1856, since the meeting of this session of Congress:

Therefore, to obviate this, as well as all other difi-

culties of like nature, we petition your honorable body to grant unto us, the Governor and Legislative Assembly of the Territory of Utah, the right of way for a telegraph line from the Missouri river, at such point as we may deem most suitable for the purpose, along the most practicable route to California via Great Salt Lake City and Car-on county, with a view of our chartering a company for the construction thereof.

Approved Jan. 17, 1856.

MEMORIAL.

To the Honorable Senators and Representatives of the United States in Congress assembled:

GENTLEMEN:—

We, your memorialists, the Governor and Legislative Assembly of Utah Territory, respectfully represent that, in our Territory, we are frequently much inconvenienced for the want of mail facilities, never having been favored with other than a monthly mail, either from the States or California, and owing to the roads in the mountains being blockaded with snow in the winter, and to various other causes at other seasons, we are frequently left for months together without an eastern mail; it must therefore be obvious that at least the business portion of the community suffer materially in their operations, and that the whole people are left without those benefits and blessings usually afforded by mails:

We, therefore, do most earnestly solicit your honorable body to establish a daily mail from Independence or some other point on the Missouri river, via Great Salt Lake City and Carson county, to Sacramento city in California, and to make the necessary appropriations to defray the expenses thereof.

Approved Jan. 17, 1856.

MEMORIAL.

To the Honorable the Senators and Representatives of the United States in Congress assembled:

GENTLEMEN:—

We, your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that it is oftimes difficult to accurately determine boundaries when running among mountain crags and peaks, and always tedious and expensive, even in level regions, where instruments have to be transported long distances with the view of ascertaining certain border points; and that His Excellency Governor Brigham Young, deeming it highly important to have portions of our western, south western and northern boundaries ascertained for the purpose of definitely settling questions of jurisdiction, despatched the Hon. Orson Hyde and party to Carson county; personally visited the Malad, where lattitude 42° north crosses that stream and the main road to Fort Hall in Oregon; and sent Professor Orson Pratt and the territorial surveyor, General J. W. Fox, to determine the points where the line between Utah and Oregon crosses Green river, and the emigrant road east of said river; the expenses of which services we justly deem should be paid by the parent government:

Therefore, we confidently ask that you will appropriate eleven thousand, three hundred and eighteen dollars to reimburse the Territory of Utah for the outlay incurred for the purposes above specified, and trust that the time has passed in which Utah shall be required to bear, with but little material aid, those burdens from which former and present territories have been so generously and so invariably relieved.

Approved Jan. 17, 1856.

MEMORIAL.

To the Honorable the Senators and Representatives of the United States in Congress assembled:

GENTLEMEN:—

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that the most economical expenditure of the twenty thousand dollars appropriated by Congress for the purpose of erecting a State House in this Territory, with the additional expenditure of over fifteen thousand dollars from the territorial treasury, has sailed to entirely finish even so much as the south wing of the contemplated building, the plan of which has been submitted to your inspection by our delegate the Hon. John M. Bernhisel, and feeling assured that the representatives of a great nation are ever desirous to promote the laudable ambition, comfort and development of her extensive territories, in this as well as in every other praiseworthy and useful channel, therefore we most earnestly and confidently solicit a further appropriation of fifty thousand dollars to defray the indebtedness already incurred by the Territory, and to carry out the beautiful and commodious design so admirably adapted not only to ornament our capital, but to furnish reasonable facilities for the conduct of legislative and other public business; and to stand forth as an enduring monument of the wise liberality of the Congress of a wealthy and munificent government, thus diverting to a permanent and highly useful object a small portion of the immense amount of funds which may otherwise be applied to less commendable uses; and, as in duty bound, your memorialists will ever pray that your appropriations of the public moneys may ever conduce to the stability and future renown of our beloved country, and to the encouragement of those enterprizing citizens who gladden the waste places of your broad territorial domains, making deserts resound with the busy hum of well directed industry, and no where more so than in peaceful, loyal, though much abused Utah.

Approved Jan. 17, 1856.

MEMORIAL.

To the Honorable the Senators and Representatives of the United States in Congress assembled:

GENTLEMEN:—

We, your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent, that it is usual for Congress to make grants of land to the Territories and new States for various purposes; and considering that the inhabitants of this Territory labor under as many or more inconveniences, hardships and difficulties, incident to the first settlement of all new countries, than have been incurred by the first settlement of any portion of the public domain; and firmly believing that Utah Territory possesses as little and perhaps less value than any other part of the broad acres now or hereafter to be at the disposal of the General Government.

We therefore petition your honorable body to grant unto the corporations thereof the lands upon which are located cities holding charters from the Governor and Legislative Assembly of the Territory of Utah, according to the surveys and plots of said cities, and to instruct the United States Surveyor-General for said Territory to survey and plot the same in accordance with their present surveys, and return them as reserved and appropriated as herein most confidentially solicited.

Approved Jan. 17, 1856.

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